IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 4474 of 2005

Between:

Katreddy Satyanarayana S/o.Late Narayana Murthy
R/o.Buttaigudem, W.g.District.

..... PETITIONER

AND

The Station House Officer, Buttaigem P.S, Buttaigudem, W.G.District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to declare the action of the respondent in not taking action on the complaint filed by the petitioner on 27.2.2005 as illegal arbitrary and contrary to the provisions of Cr.P.C. and consequentially direct the respondent to register and taking action on the complaint filed by the petitioner on 27.2.2005 and recover the theft property.

Counsel for the Petitioner: MR.P.R.K.AMERANDRA KUMAR

Counsel for the Respondent: GP FOR HOME

This Court at the stage of admission made the following:

ORDER:

The petitioner seeks to declare the action of the respondent in not taking any action on the complaint lodged by him on 27.02.2005, as illegal and contrary to provisions of the Criminal Procedure Code and

consequently, to direct the respondent to register the said complaint, take action and recover the theft property.

In the affidavit, the petitioner alleges that on 27.02.2005 at about 7 a.m., one Sri K.Adinarayana and four others forcibly entered into his Tobacco garden, cut the tobacco leaves and taken them away and while he tried to prevent, they beat him indiscriminately. Immediately, he went to Buttaigudem Police Station and lodged a complaint about the said incident and requested to recover the theft property.

The grievance of the petitioner is that though he lodged a complaint on 27.02.2005, till date neither the respondent has conducted any investigation nor taken any action pursuant to his complaint. Hence, the present writ petition.

Rebutting the averment of the petitioner to the effect that he lodged a complaint on 27.02.2005 with the respondent-Police Station, the respondent has not filed any counter-affidavit.

Therefore, in the circumstances of the case, it is suffice in the interest of justice to dispose of the writ petition with a direction to the respondent to register the said complaint of the petitioner and take appropriate action, as per law.

With the above direction, the writ petition is disposed of. No order as to costs.

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27.04.2005

dr/tvk

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To

1 The Station House Officer, Buttaigem P.S, Buttaigudem, W.G.District.

2 2 CCs to Government Pleader for Home,

High Court Buildings, Hyderabad. (OUT)

3 2 CD copies